

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA)
)
 V.) 1:19CR54-1
)
STEVE BRANTLEY SPENCE)

ORDER

Upon joint motion of the Defendant and the Government (Doc. 25), for good cause shown,

IT IS ORDERED that the trial of this matter is continued from May 18, 2020, until **August 10, 2020**, at 9:00 a.m. in either Courtroom 1 or 2 in Winston-Salem, depending on availability. The final location will be determined at a later date.

IT IS FURTHER ORDERED that a status conference be held on **July 29, 2020**, at 10:00 a.m. in Courtroom 2 in Winston-Salem in order for the court and parties to address any outstanding motions or other issues pretrial. Trial briefs, pretrial motions, proposed jury instructions and requested voir dire shall be filed no later than **July 13, 2020**. Responses to motions shall be filed by **July 20, 2020**. The parties are directed to meet and confer as to proposed jury instructions and, to the extent practicable, submit an agreed upon set of jury instructions, with separate contentions as to any instructions where there is disagreement. An electronic

Word version of the jury instructions shall be emailed to the CM/ECF mailbox of the Unassigned Judge.

The court finds that the Government's expert witness has not yet reviewed medical records produced by the Defendant, that the Government will need more time to review the expert's report when it is completed, and that the Defendant's counsel has not been able to adequately meet with the Defendant due to the restrictions imposed on counsel at the local jail. Moreover, for the reasons noted in this court's Amended Standing Order 13, the global pandemic has made the possibility of a jury trial unworkable from a public health point of view.

The court therefore finds that the ends of justice and concerns for public safety are best served by granting this continuance, and that they outweigh the interest of the public and the Defendant in a speedy trial. The court also finds that failure to grant the continuance would deny counsel for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Accordingly, the delay occasioned by the granting of this continuance shall be excluded in computing the time within which the trial of this matter must commence. See Title 18, United States Code, Sections 3161(h) (7) (A) & (B) (iv).

/s/ Thomas D. Schroeder
United States District Judge

April 24, 2020